

Patent Application 09/662,740
Docket No. P13901US

REMARKS

Claims 1-15, 18-24, 26-30, 32-35, and 38-45 are currently pending in the present patent application. Claims 16-17, 25, 31, 36, 37 and 46-49 have been canceled without prejudice made to Applicant. Reconsideration and allowance of the application is respectfully requested in view of the following remarks.

Information Disclosure Statement

In paragraph 1 of her report, the Examiner has indicated that the article "CDMA-IC: ANOVEL CODE DIVISION MULTIPLE ACCESS SCHEME ON INTERFERENCE CANCELLATION" listed in the specification has not been considered since it has not been included in the IDS. For that reason, Applicant now submits the article in IDS, which is herewith included.

Drawings

In paragraph 2 of her report, the Examiner objected to the drawings because claims 25 and 28 refer to a processor which is not indicated on Figure 4 and further claim 31 refer to a "silent replica producing means" that is not indicated Figure 4. Therefore, claims 25 and 31 have been canceled and claim 28 has been amended for deleting the reference made to a "processor". Therefore, the drawings do not need to be amended and Applicant now kindly requests withdrawal of the rejection.

Claim objections

In paragraph 3 of her report, the Examiner objected to claims 2, 13-14, 18, 20, 22-23, 33, 38, 44 and 47-49 because of a number of informalities. Claims 2, 13-

Patent Application 09/662,740
Docket No. P13901US

14, 18, 20, 22-23, 33, 38, 44 have been amended for correcting clerical errors and for pointing out the essence of the invention. Claims 47-49 have been canceled without prejudice made to Applicant. Therefore, Applicant now kindly requests withdrawal of the rejection.

Claim rejections – 35 USC §112

In paragraph 5 of her report, the Examiner rejected claims 1-45 as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. Claims 1-2, 8, 10-11, 13-15, 18-24, 26, 28-29, 32-35, 38-39, 41-42 and 44-45 have been amended for correcting clerical errors and for pointing out the essence of the invention. Furthermore, claims 16-17, 25, 31 and 36-37 have been canceled without prejudice made to Applicant. Therefore, Applicant requests withdrawal of the rejection.

The Examiner also objected to claims 3-7, 9-10, 12-14, 27-30, 32-33, 36-38, 40 and 43-44 because they depend on rejected based claims. Furthermore, since claims 3-7, 9-10, 12-14, 27-30, 32-33, 36-38, 40 and 43-44 depend directly or ultimately from independent claims 1, 15, 24, 35 and 42 while adding further limitations thereto, they are believed patentable for the same reasons provided in support of independent claims 1, 15, 24, 35 and 42. For these reasons, Applicant kindly requests withdrawal of the rejection

Claim rejections – 35 USC §102

In paragraph 7 of her report, the Examiner rejected claims 46-47 under 35 U.S.C. 102(b) as being anticipated by US Patent No. 6, 327,298 (hereinafter referred as Grobert). Please note that claims 46-47 have been canceled without prejudice made to Applicant.

Patent Application 09/662,740
Docket No. P13901US

Claim rejections – 35 USC §103

In paragraph 9 of her report, the Examiner rejected claims 48-49 under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6, 327,298 (hereinafter referred as Grobert) in view of US Patent No. 6,778,827 (hereinafter referred as Anderson). Please note that claims 48-49 have been canceled without prejudice made to Applicant.

Allowable Subject Matter

In paragraphs 10-11 of her report, the Examiner mentioned that claims 1-45 would be allowable if rewritten. Claims 1-2, 8, 10-11, 13-15, 18-24, 26, 28-29, 32-35, 38-39, 41-42 and 44-45 have been amended for correcting clerical errors and for pointing out the essence of the invention. Furthermore, claims 16-17, 25, 31 and 36-37 have been canceled without prejudice made to Applicant. Claims 3-7, 9, 12, 27, 30 and 43 have not been amended, but they depend directly or ultimately from independent claims 1, 15, 24, 35 and 42 while adding further limitations thereto. Consequently, claims 3-7, 9, 12, 27, 30 and 43 are believed patentable for the same reasons provided in support of independent claims 1, 15, 24, 35 and 42.

In view of the abovementioned remarks, Applicant respectfully requests favourable action for all pending claims.

Patent Application 09/662,740
Docket No. P13901US

CONCLUSION

In view of the foregoing, Applicant submits that the present patent application is now in condition for favourable action. Should the Examiner wish to further discuss the present response or patent application, the undersigned can be reached at (514) 345-7891.

Respectfully submitted,

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